

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IVY NIXON, *individually and on behalf of all others similarly situated,*

Plaintiff,

-against-

CVS HEALTH CORP., et al.,

Defendants.

ORLANDO TATONE, *individually and on behalf of all others similarly situated,*

Plaintiff,

-against-

CVS HEALTH CORP., et al.,

Defendants.

MARGARET M. GARNETT, United States District Judge:

On July 12, 2024, Plaintiff Ivy Nixon filed a complaint in 24-cv-05303. On September 6, 2024, Plaintiff Orlando Tatone filed a similar complaint in 24-cv-06771. On September 25, 2024, the Court directed the parties to address whether consolidation would be appropriate. *See* 24-cv-05303, Dkt. No. 27; 24-cv-06771, Dkt. No. 6. The parties in both actions requested that the Court consolidate the actions. *See* 24-cv-05303, Dkt. No. 29, 30; 24-cv-06771, Dkt. No. 11.

Accordingly, as the above-captioned actions involve common questions of law and fact and all parties agree that consolidation is appropriate, it is hereby ORDERED that, pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure, they are consolidated under the case

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24-CV-05303 (MMG)

ORDER

24-CV-06771 (MMG)

ORDER

number 24-cv-05303. The Clerk of Court is respectfully directed to consolidate 24-cv-05303 and 24-cv-06771 under case number 24-cv-05303, and to close 24-cv-06771.

The Court is aware of the motions to appoint lead plaintiff and lead counsel that have been filed in 24-cv-05303. It is hereby ORDERED that Defendants' time to respond to the complaints filed in either action is STAYED pending resolution of these motions.

Dated: October 25, 2024
New York, New York

SO ORDERED.



MARGARET M GARNETT
United States District Judge